

CHAPTER 250
FORMERLY
SENATE BILL NO. 226

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT.

WHEREAS, there is currently a critical lack of psychiatric services in Sussex County and a critical need for such services, including the need for a psychiatric hospital;

WHEREAS, it is the intent of the General Assembly to facilitate the provision of additional psychiatric services in Sussex County without further delay.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 9304, Title 16 of the Delaware Code as follows:

§ 9304. Activities subject to review.

(a) Any person must obtain a Certificate of Public Review prior to undertaking any of the following activities:

(b) Notwithstanding any other provision in this chapter to the contrary, any person who held, as of November 9, 2015, a certificate of public review issued by the Board authorizing the construction of a 90 bed psychiatric hospital in Georgetown, Delaware, regardless of the certificate's date of expiration or whether the certificate has otherwise been challenged on appeal or is otherwise subject to legal challenge, shall not be required to obtain any additional certificate of public review under this chapter prior to the construction, development, or other establishment of the psychiatric hospital. Any psychiatric hospital constructed, developed, or established under this subsection shall not have any license or authority to operate denied, revoked, or restricted on the grounds that a certificate of public review has not been obtained or has otherwise been challenged on appeal or is otherwise subject to legal challenge.

Section 2. This Act takes effect on the date of its enactment into law and is effective until December 31, 2020.

Approved June 08, 2016